

4.3.1 Intent and Applicability

Certain uses are appropriate in certain districts only if special standards are applied. These uses listed in this Part are permitted in the districts indicated provided they conform to the standards and requirements listed in each section.

4.3.2 General Provisions

In addition to meeting the special standards listed under the particular use in this Section, all Permitted Uses with Special Standards shall be required to comply with the requirements of this Land Development Code, except to the extent that they conflict with an applicable special standard, in which case the special standard shall prevail. Proposed developments in accordance with this Part shall be processed using the Category 2 review procedure (Section 11.6.3). Applications shall include materials needed to demonstrate compliance with the special standards.

4.3.3 Dwellings in EZ-1 District - Single Family

Single family residential dwellings are permitted in the EZ-1 district provided they comply with the following standards:

- A. The property is located in the Traditional Neighborhood, Traditional Workplace, or Traditional Marketplace Corridor Form District

4.3.4 Dwellings in EZ-1 District - Multiple family, as a reuse of an existing structure

Multiple family residential dwellings are permitted in the EZ-1 district provided they comply with the following standards:

- A. The property is located in the Suburban Workplace Form District.
- B. The purpose of permitting multi-family dwellings in the EZ-1 district subject to special standards is to encourage the adaptive reuse of existing structures that are at least twenty-five (25) years old and which are currently unutilized or underutilized. Thus, multiple family dwellings are permitted only when locating in a building existing on March 1, 2003 (effective date of the LDC) and which is at least twenty-five (25) years old, all or only a portion of which is converted to multi-family residential use.
- C. Maximum Density
 - 1. For 0 bedroom dwelling units only.....435 Dwelling units per acre
 - 2. For 1 bedroom dwelling units only.....217 Dwelling units per acre
 - 3. For 2 or more bedroom dwelling units only....145 Dwelling units per acre

4.3.5 Dwellings in EZ-1 District – Multi-Family Residential

Multiple family residential dwellings are permitted in the EZ-1 district provided they comply with the following standards:

- A. The property is located within the traditional neighborhood, traditional marketplace corridor, traditional workplace or downtown form districts.
- B. The maximum density as permitted in Section 4.3.4 paragraph C above.

4.3.6 Accessory Structures Footprint in Excess of Principal Structure Footprint

Accessory structures for single family residential uses may have building footprints greater than the footprint of the principal structure provided they comply with the following standards:

- A. The accessory structure is located in the Neighborhood or Village Form District; and
- B. The footprint of the accessory structure is no more than 1.5 times the footprint of the principal structure or the total building coverage of the lot including proposed accessory structure shall not exceed 25%, whichever is less; and
- C. The accessory structure is located at least 10 feet from a side or rear property line; and
- D. All owners of abutting residentially zoned property have signed a statement indicating that they have seen a plan of the proposed accessory structure and do not oppose its construction.

Note: This section 4.3.5 does not apply to agricultural uses and related accessory structures (e.g., barns, stables.)

4.3.7 Temporary Activities

Temporary activities may be permitted by the Planning Director or designee within any form district and zoning district in accordance with the standards set forth below:

- A. Pavement or gravel used for the event shall be removed after the completion of the event and the ground reseeded within 2 weeks of removal of pavement or gravel; and
- B. No activities shall take place on land within the required stream buffer of a blue line stream or wetland as specified in Chapter 4 Part 8; and .
- C. A temporary fence shall be provided to prevent access and parking from crossing over into adjacent properties and within environmentally sensitive areas (e.g. wetlands, stream buffers, etc.); and
- D. No event shall exceed 10 days in duration within a residential zoning district. No event shall exceed 30 days in duration in any non-residential

“Temporary Activities” definition: - Temporary activities are characterized by their short term or seasonal nature and by the fact that permanent improvements are not made to the site. Temporary activities include: temporary carnivals and fairs, temporary parking lots, temporary circus, temporary rodeo, temporary “Haunted House”, and temporary “Show House”.

zoning district. No more than two events shall be permitted on the same property within a calendar year; and

- E. Permanent changes to the site are prohibited; and
- F. Vehicle ingress and egress to the site shall be approved by the Director of Works or designee. Gravel or other measures to accommodate vehicles and prevent tracking of the public right-of-way may be required; and
- G. No temporary activity within a residential zoning district shall take place within 200 feet of a dwelling unit(s) unless approval is obtained in writing from the owner(s) of the dwelling unit(s).

4.3.8 Outdoor Paintball Ranges

Outdoor Paintball ranges may be permitted on property zoned M-1, M-2, M-3 and EZ-1 in accordance with the following standards:

- A. The tract of land is at least five (5) acres in area;
- B. All outdoor play areas shall be enclosed by netting (at least 60% nylon netting) at least 12 feet in height. Netting must be securely fastened at top and bottom. Play areas shall have signs posted warning of paintball play and requiring the use of eye goggles before entering;
- C. The applicant shall provide proof of appropriate insurance as a paintball facility;
- D. All designated play areas shall be at least 300 feet from any property line;
- E. Retail sales shall be limited to a total of 1,000 square feet of gross floor area;
- F. Off-street parking spaces shall be provided as follows:
 - 1. Participants: 10 spaces per designated play area
 - 2. Spectators: 1 space per 300 square feet of designated spectator area
 - 3. Employees: 1 space per 2 employees
- G. All buildings and structures shall be at least 30 feet from any property line;
- H. Hours of operation shall be between 8 A.M. until dark, no outdoor lighting for evening play shall be permitted;
- I. A development plan shall be submitted to Planning and Design Services for review to determine whether all requirements listed above will be met. The development plan shall follow the Category 3 review procedure;
- J. All spectator areas shall be designated on the required development plan and shall be at least 3 feet from the perimeter netting of a designated play area. All spectator areas shall be roped off to ensure that the area is visibly identified;

- K. Warning signs shall be placed around the perimeter of the property every 75 feet on linear property boundary;
- L. When adjacent to a residential and/or office/residential zoning district a minimum C3 buffer shall be required or as required by the applicable intensity class, whichever is greater. All other perimeter landscaping requirements shall be in accordance with Chapter 10 of the LDC;
- M. A chronograph shall be used by the developer/owner of the facility to ensure that all paintball guns do not exceed the safety velocity of 300 feet per second;
- N. Large Competitions: Competitions on the site exceeding 10 teams or 60 participants shall be considered as large competitions. The number of large competitions shall be limited to two (2) per year. The applicant shall provide a plan for large competition management that identified the following:
 - 1. Location of spectator parking based on the expected number of spectators;
 - 2. Location of outdoor restroom facilities;
 - 3. Traffic safety plan for movement of spectator vehicles on and off the property approved by the agency responsible for transportation engineering;
 - 4. Other items/restrictions identified by the Planning Commission or designee.

4.3.9 In-Home Day Care

The occupant of a single-family dwelling may provide day care services for no more than (6) six individuals at one time provided by the occupant of a single family residence and in accordance with the following standards:

- A. Associated outdoor activity other than pick-up and drop-off of children shall be prohibited between 9 P.M. and 7 A.M.
- B. Home Occupation Registration shall be completed and filed with the Department of Planning and Design Services.
- C. One non-resident employee is permitted.
- D. In-home day care facilities serving between four and six children shall be certified by the Kentucky Cabinet for Families and Children (CFC). Proof of certification shall be submitted at time of Home Occupation registration.